New Jersey's Environmental Cleanup Responsibility Act (ECRA) offers an effective enforcement strategy for ground water protection. ECRA requires certain industrial facility owners to obtain approval from the state Department of Environmental Protection (DEP) before selling property to a new owner. Approval is contingent upon certification that the land is free of hazardous waste contamination or cleanup of any hazardous waste contamination, including contaminated ground water. The DEP and the buyer, through the judicial system, can have the sale voided. Since the program's inception, over 1000 approvals have been sought; 200 sites have required ground water cleanup prior to sale, of which 99 have been completed. This program has resulted in faster and more extensive ground water cleanup than would have occurred through DEP's normal surveillance and enforcement program and has created an incentive for industrial facilities to initiate self-monitoring and cleanup programs to ensure the salability of their property.

Many states have several programs to enforce. These programs may include permits for individual activities or general waste discharge permits covering a variety of activities, or the program may consist of general non-degradation standards. The ability to enforce these programs is heavily dependent on the staff capability of each responsible agency. In New York, pursuant to the New York State Environmental Conservation Law Article 27, and 6 NYCRR 371, the Suffolk County district attorney's office has established an environmental crimes unit. One full-time detective works for this unit. The unit investigates violations of hazardous waste disposal laws, including illegal disposal of hazardous waste. To date, the Suffolk County district attorney's office has obtained six convictions involving illegal disposal of hazardous waste. All are felonies, and at least one jail sentence has been handed out.

Not only are strong enforcement programs important for assuring that program goals are achieved, but enforcement incidents also do much to create favorable public understanding and support. A classic example occurred in 1970, when California officials cited four municipalities and four large industries for long-term pollution violations, all in a one-day hearing. The immediate publicity was helpful, but the long-term support generated as a result has been important to the success of other enforcement actions and has built public confidence in the program. Actions such as this deliver a clear message that violators will be punished. This requires support from the governor's office, the attorney general's office, and the legislature.

Resources and Funding

Properly trained professional staff and supporting equipment are crucial to successful implementation of ground water protection programs. The